

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Angela E. Noble
Court Administrator • Clerk of Court

400 North Miami Avenue, Suite 8N09
Miami, Florida 33128-7716
(305) 523-5100

August 9, 2022

Kirby D. Behre, Esq.
Miller & Chevalier Chartered
900 16th Street, NW
Washington, DC 20006

Dear Mr. Behre:

As you know, your name appears on the service list of a document filed with this Court in case #22-mc-81229-DMM. Our records, however, indicate that you are not a member of the Southern District of Florida Bar. Pursuant to Local Rule 4(b) of the *Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys*, only members of the Bar of this District may appear as attorneys in this Court except when appearance pro hac vice is permitted by the Court.

In order to appear and participate in a particular case in this Court, you must be an attorney who is a member in good standing of the bar of any United States Court, or of the highest Court of any State or Territory or Insular Possession of the United States. You are then required to file a written application, electronically filed by counsel admitted to practice in this District, requesting permission to appear and participate in a particular case. A certification that you have studied this Court's Local Rules shall accompany the application. If permission to appear pro hac vice is granted, such appearance does not constitute formal admission, nor does it authorize you to file documents via CM/ECF.

The Rule also requires that the application designate a member of the Bar of this Court who is authorized to file through the Court's electronic filing system, to act as local counsel with whom the Court and opposing counsel may readily communicate regarding the conduct of the case, upon whom filings shall be served, who shall be required to electronically file and serve all documents and things that may be filed and served electronically, and who shall be responsible for filing and serving documents in compliance with the CM/ECF Administrative Procedures. The Rule further requires that the application be accompanied by a written statement from local counsel consenting to the designation, and the address and telephone number of local counsel.

An attorney who is granted a pro hac vice appearance will **not** be permitted to register as a CM/ECF User in this District but may access the electronic record through the PACER System (see Section 7B of the Administrative Procedures on our website [www.flsd.uscourts.gov]). **Attorneys admitted pro hac vice will be required to electronically file and serve all documents through their local counsel.** An application to appear pro hac vice must be

"It is our honor and duty to provide the support necessary to enable the Court as an institution to fulfill its constitutional, statutory, and societal responsibilities for all who seek justice."

electronically filed by local counsel, along with the applicable filing fee, via CM/ECF. Although attorneys granted pro hac vice appearance will not be permitted to file electronically, the attorney admitted pro hac vice will be able to electronically **receive** Notices of Electronic Filing. Such requests should be included in your application to appear pro hac vice and in the accompanying proposed order. The e-mail address for the attorney(s) seeking admission must be provided in both the motion and proposed order in order to receive electronic notices. **Please note the Court does not add secondary email addresses for pro hac vice attorneys.** Pro hac vice attorneys should instruct their local counsel to add secondary email addresses to local counsel's CM/ECF account.

Administrative Order 2020-9 provides that an admissions fee of \$200.00 is to be paid by every attorney petitioning the Court to appear and participate in a particular case under Rule 4(b). The fee must be paid by local counsel in conjunction with the filing of your motion to appear pro hac vice and certification.

A form motion for appearance pro hac vice can be downloaded from our website at www.flsd.uscourts.gov, Attorney Resources, Pro Hac Vice Appearance. If you have any questions, you may contact Attorney Admissions at (305) 523-5265 or the CM/ECF Help Desk at (888) 318-2260.

Sincerely,

ANGELA E. NOBLE
Court Administrator • Clerk of Court

By: s/Deputy Clerk
Attorney Admissions

c: United States District Judge Donald M. Middlebrooks
File